



Norfolk Southern Corporation
Three Commercial Place
Norfolk, Virginia 23510-2191

225806
James R. Paschall
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October 1, 2009

Via fax – (202) 245-0464

Honorable Anne K. Quinlan, Secretary
Surface Transportation Board
395 E Street, SW
Washington, DC 20423

ENTERED
Office of Proceedings

OCT 1 - 2009

Part of
Public Record

RE: STB Docket No. AB-290 (Sub-No. 266X), Norfolk Southern Railway
Company – Abandonment Exemption – in Marion, McDowell
County, North Carolina

Dear Secretary Quinlan:

Norfolk Southern Railway Company (NSR) has not consummated the abandonment of the line that is the subject of this proceeding. The interim trail use negotiation condition in this matter expires today, October 1, 2009. NSR continues to negotiate with the City of Marion for an interim trail use agreement with respect to the subject line. NSR consents to the Board's issuance of an extension (to April 1, 2010) of the trail use negotiation condition requested by the City of Marion in its letter to the Board dated September 22, 2009 (copy attached).

NSR requests that the consummation date deadline be extended to 60 days after the expiration date of the extended trail use negotiation period.

Sincerely,

James R. Paschall /KCH
James R. Paschall

cc: Bob Boyette, City Manager
City of Marion
P. O. Drawer 700
Marion, NC 28752